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Patent
Q040

T-H.
11-14-02
#6/Elects

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:
PAUL KURTH

Examiner: Catherine Serke

SERIAL NO. : 09/708,150

Group Art Unit: 3763

FILED: NOV. 7, 2000

FOR: METHOD AND APPARATUS
FOR INSERTION OF ELONGATE
INSTRUMENTS WITHIN A BODY
CAVITY

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ELECTION AND PRELIMINARY AMENDMENT

Hon. Commissioner of Patents and Trademarks
Washington DC 20231

Sir:

Please enter the following amendments.

Please approve of an amendment to the drawings wherein all of the
existing drawings in the application are replaced by the attached drawings of
Exhibit 1 representing Figs. 1a – 1d, and 2 – 8.

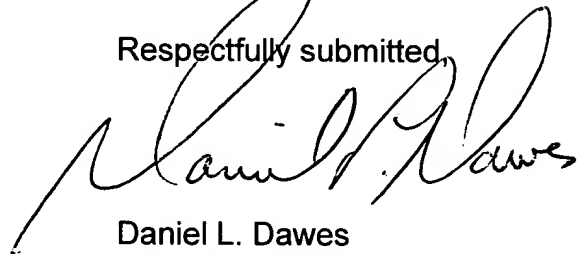
Election

The applicant hereby elects the claims of Group II, namely claims 2 – 12,
29 – 82, 90, and 91. The species of Figs. 1a – 1d is elected.

The species of Figs. 1a – 1d is directed to a sheath which is composed of
a moldable material capable of being formed with bends of differing nature

molded into the compound shape of the sheath. Applicant respectfully submits that claims 2 – 12, 29 – 82, 90, and 91 are all directed to sheaths or include in combination a sheath which is composed of a moldable material capable of being formed with bends of differing nature molded into the compound shape of the sheath as depicted in Figs. 1a – 1d. Claims 2, 29, 76, 81, 82, and 83 are claims which generically include in whole or part the moldable sheaths of Figs. 1a – 1d.

Respectfully submitted,



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I hereby certify that this correspondence is being deposited with the United States Postal Service at first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on November 1, 2002

(Date of Deposit)

Nancy V. McElrath
Nancy V. McElrath
Date of Signature 11-1-02